

Right to Local Self-Government - Summary

The diploma thesis deals with topic of Right to Local Self-Government in the Czech Republic. Chapter one is introductory and summarizes contemporary theoretical approaches to the concept of territorial Self-Government and the nature of the right on it. Furthermore this chapter explains the importance of territorial Self-Government and describes its evolution in the bohemian lands, while it puts closer look to the restoration of territorial Self-Government and its design after 1989. Finally, this chapter looks at position of the Czech Republic in the typology of local government systems. Second Chapter examines all Constitutional complaints on the infringement of the rights of Self-Governments (municipalities), while it describes the circumstances under which the lawsuit emerged, and discusses the argumentation of the Czech Constitutional Court. The thesis summarizes data on author of the complaint, authority accused of the infringement, and result of the case. In the third chapter the thesis discusses other important judgements of the Czech Constitutional Court on the Self-Government and the rights of municipalities. It focuses on the most important judgements on the content of the right to Self-Government and day-to-day conduct of municipalities. In the fourth Chapter the thesis observes legislative initiative of the self-governing regions, where it points out subject groups of bills and the successful bills. For this reason a statistics of bills proposed by regions was made. The fifth Chapter surveys ordinances of municipalities contested and abolished by the Czech Constitutional Court, while discussing subject of the contested ordinances. This Chapter also explores which authorities contested said ordinances and number of proceedings to abolish municipal ordinances before the Czech Constitutional Court. A statistics of such proceedings was made. In the sixth Chapter the Thesis surveys how the Czech Republic fulfils the provisions of the European Charter of Local Self-Government on the results of last monitoring mission to the Czech Republic. The last Chapter outlines the topic of funding of Self-Governments and the necessity to provide for sufficient funds in order to ensure its operation.